



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

Applicant: Sterling Gateway LP; Hunt Williams Managing Partner

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

See Attachment A.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

Attachment A

Burden of Proof Statements for Minor Modification to Condition No. 23 of CUP No. 03-238-(5) Project No. 03-238-(5)

The applicant is seeking a minor modification to condition no. 23 of CUP No. 03-238-(5) ("CUP"). Condition no. 23 of the CUP currently reads as follows:

"A minimum of 2,802 automobile parking spaces, as depicted on the approved 'Small Lot Alternative' Exhibit 'A' (dated October 16, 2007) or on an approved revised Exhibit 'A', shall be provided and continuously maintained on the subject property, developed to the specifications listed in Section 22.52.1060 of the County Code. There shall be at least 21 guest parking spaces distributed throughout the project site as depicted on the 'Small Lot Alternative' Exhibit 'A' (dated October 16, 2007) or an approved revised Exhibit 'A'. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided in the CC&R's."

The applicant proposes to modify the language of condition no. 23 of the CUP to the following:

"Automobile parking spaces shall be provided and continuously maintained on the subject property in conformance with the parking requirements for uses authorized under this grant specified in Section 22.52.1070 *et seq.* of the County Code, as depicted on the approved Exhibit "A" or on a subsequently approved Revised Exhibit "A". Such vehicle parking spaces shall be developed to the specifications listed in Section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile or truck repair or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&R's."

Applicant's CUP Burden of Proof Findings:

- A. The number of parking spaces (2,802) required for the project per condition no. 23 of CUP 03-238-(5) ("CUP") is grossly excessive and bears no reasonable relationship to the actual parking needs of land uses authorized for development under the CUP and associated VTPM No. 60030 ("VTPM"). The applicant is seeking to modify this CUP condition to clarify that on-site parking will be provided for the project in conformance with parking requirements specified in the County Code for the project's approved industrial warehousing and/or office uses, as such uses may be developed on the subject property over time. The proposed CUP condition modification, which simply brings the project's parking requirements in-line with the County Code's parking requirements, will have no adverse impacts to the public's health, peace, comfort or welfare; will not be detrimental to the use, enjoyment or valuation of property of other persons located in the project's vicinity; and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- B.** As designed, the development plan meets all requirements regarding provision of adequate landscaping, parking, required setbacks, loading facilities and other applicable development features regulated by the County Code. Over time, as the individual buildings approved under the CUP and VTPM are brought forward for development on the subject property, the applicant will submit updated Revised Exhibit "A" plans, each of which will demonstrate compliance with the conditions of the CUP and VTPM, conformity with applicable County Code requirements, and substantial conformance with the original Exhibit "A" approved for the project.
- C.** With approval of the proposed CUP condition modification, the project will continue to be served by highways and streets of sufficient width, improved as necessary to carry the kind and quantity of traffic to be generated by the approved development. The proposed parking reduction will have no affect on public or private service facilities serving the project.